

CITY OF KELOWNA
REGULAR COUNCIL AGENDA
COUNCIL CHAMBER - CITY HALL - 1435 WATER STREET

MONDAY, AUGUST 23, 2010

1:30 P.M.

1. CALL TO ORDER

This meeting is open to the public and all representations to Council form part of the public record. A live audio feed is being broadcast and recorded by CastaNet.

2. Councillor Stack is requested to check the minutes of the meeting.

3. PUBLIC IN ATTENDANCE

3.01 Superintendent McKinnon, re: [Bi-Monthly Policing Report](#)

3.02 Patrick Kennedy, Managing Director, and Dr. Barry Urness, Chairman, Central Okanagan Sports Hall of Fame, re: [Presentation with respect to the Structure, Support and Activities of the Central Okanagan Sports Hall of Fame](#)

4. DEVELOPMENT APPLICATION REPORTS

4.01 Community Sustainability Division, dated August 10, 2010, re: [Agricultural Land Reserve Appeal No. A09-0008 - Canada West Tree Fruits Ltd. \(Tony Markoff\) - 2177 & 2287 Ward Road](#)

To support an application to the Agricultural Land Commission under Section 21(2) of the Agricultural Land Commission Act for a subdivision/lot line adjustment within the Agricultural Land Reserve.

4.02 Community Sustainability Division, dated August 13, 2010, re: [Rezoning Application No. Z10-0060 - Chlojo Investments Inc. \(Edgecombe Builders\) - 1290 & 1298 St. Paul Street](#)

To rezone the subject properties from the I2 - General Industrial zone to the C7 - Central Business Commercial zone in order to permit a proposed seven-storey, mixed-use development.

(a) [Community Sustainability Division report dated August 13, 2010.](#)

(b) BYLAW PRESENTED FOR FIRST READING

[Bylaw No. 10401 \(Z10-0060\)](#) - Chlojo Investments Inc. (Edgecombe Builders) - 1290 & 1298 St. Paul Street

To rezone the subject properties from the I2 - General Industrial zone to the C7 - Central Business Commercial zone.

4.03 Community Sustainability Division, dated August 11, 2010, re: [Rezoning Application No. Z10-0061 - William & Lynn Jeffrey - 4555 Sallows Road](#)

To rezone the subject property from the A1 - Agriculture 1 zone to the A1s - Agriculture 1 with Secondary Suite zone in order to allow a modular home to be placed on the property.

(a) [Community Sustainability Division report dated August 11, 2010.](#)

(b) **BYLAW PRESENTED FOR FIRST READING**

[Bylaw No. 10402 \(Z10-0061\)](#) - William & Lynn Jeffrey - 4555 Sallows Road

To rezone the subject property from the A1 - Agriculture 1 zone to the A1s - Agriculture 1 with Secondary Suite zone.

- 4.04 Community Sustainability Division, dated August 13, 2010, re: Rezoning Application No. Z10-0044 - Gordon Kaltenhauser - 120 Homer Road
To rezone the subject property from the RU1 - Large Lot Housing zone to the RM1 - Four Dwelling Housing zone in order to legalize the existing four-plex.

(a) [Community Sustainability Division report dated August 13, 2010.](#)

(b) **BYLAW PRESENTED FOR FIRST READING**

[Bylaw No. 10403 \(Z10-0044\)](#) - Gordon Kaltenhauser - 120 Homer Road

To rezone the subject property from the RU1 - Large Lot Housing zone to the RM1 - Four Dwelling Housing zone.

- 4.05 Community Sustainability Division, dated August 13, 2010, re: Rezoning Application No. Z10-0051 - Kane #2 Resources Ltd. (Protech Consultants Ltd.) - 335 Gerstmar Road
To rezone the subject property from the RU1 - Large Lot Housing zone to the RM3 - Low Density Multiple Housing zone in order to facilitate a 13-unit townhome development.

(a) [Community Sustainability Division report dated August 13, 2010.](#)

(b) **BYLAW PRESENTED FOR FIRST READING**

[Bylaw No. 10404 \(Z10-0051\)](#) - Kane #2 Resources Ltd. (Protech Consultants Ltd.) - 335 Gerstmar Road

To rezone the subject property from the RU1 - Large Lot Housing zone to the RM3 - Low Density Multiple Housing zone.

- 4.06 Community Sustainability Division, dated August 11, 2010, re: Rezoning Application No. Z10-0056 - David Erikson, Alexander Norman & Susan Ames (David Erikson) - 1353 Flemish Street
To rezone the subject property from the RU1 - Large Lot Housing zone to the RU1s - Large Lot Housing with Secondary Suite zone in order to legalize a secondary suite within a single family dwelling.

(a) [Community Sustainability Division report dated August 11, 2010.](#)

(b) **BYLAW PRESENTED FOR FIRST READING**

[Bylaw No. 10405 \(Z10-0056\)](#) - David Erikson, Alexander Norman & Susan Ames (David Erikson) - 1353 Flemish Street

To rezone the subject property from the RU1 - Large Lot Housing zone to the RU1s - Large Lot Housing with Secondary Suite zone.

- 4.07 Community Sustainability Division, dated August 12, 2010, re: Rezoning Application No. Z10-0011 - Olga Stuhlberg (Van Gorp & Company) - 1785 Swainson Road
To rezone a portion the subject property from the A1 - Agriculture 1 zone to the RR1 - Rural Residential 1 zone in order to facilitate the subdivision of a 1.0 hectare portion within the Agricultural Land Reserve.

- (a) [Community Sustainability Division report dated August 12, 2010.](#)
 - (b) **BYLAW PRESENTED FOR FIRST READING**
[Bylaw No. 10406 \(Z10-0011\)](#) - Olga Stuhlberg (Van Gorp & Company) - 1785 Swainson Road
To rezone a portion of the subject property from the A1 - Agriculture 1 zone to the RR1 - Rural Residential 1 zone.
- 4.08 Community Sustainability Division, dated August 12, 2010, re: [Rezoning Application No. Z10-0055 - Singla Bros. Holdings Ltd. - 875 Hollywood Road South](#)
To rezone portions of the subject property from the RU1 - Large Lot Housing zone to the RU1s - Large Lot Housing with Secondary Suite and RU6 - Two Dwelling Housing zones in order to facilitate a four lot subdivision.
- (a) [Community Sustainability Division report dated August 12, 2010.](#)
 - (b) **BYLAW PRESENTED FOR FIRST READING**
[Bylaw No. 10407 \(Z10-0055\)](#) - Singla Bros. Holdings Ltd. - 875 Hollywood Road South
To rezone portions of the subject property from the RU1 - Large Lot Housing zone to the RU1s - Large Lot Housing with Secondary Suite and RU6 - Two Dwelling Housing zones.
- 4.09 Community Sustainability Division, dated August 9, 2010, re: [Development Permit Application No. DP10-0091 - Clifton Properties Ltd. \(Mission Group\) - 625 Boynton Place](#)
To authorize the issuance of a Development Permit for the form and character of an 83 unit townhouse development.
- 4.10 Community Sustainability Division, dated July 28, 2010, re: [Official Community Plan Bylaw Amendment Application No. OCP09-0001 and Rezoning Application No. Z09-0007 - 0720229 BC Ltd. \(Troika Developments Inc.\) - 245 Briarwood Road](#)
To extend the deadline for adoption of Zone Amending Bylaw Nos. 10198 and 10199 from July 14, 2010 to January 14, 2011.
- 4.11 Community Sustainability Division, dated August 9, 2010, re: [Rezoning Application No. Z08-0012 - 703941 BC Ltd. \(Robert Bennett\) - 3665 McCulloch Road](#)
To extend the deadline for adoption of Zone Amending Bylaw No. 9998 from May 27, 2010 to November 27, 2010.
5. **BYLAWS (ZONING & DEVELOPMENT)**
- (BYLAWS PRESENTED FOR ADOPTION)**
- 5.01 [Bylaw no. 10340 \(Z10-0019\)](#) - Swaranjit & Harbant Punia (Swaranjit Punia) - 650 Wayne Road
To rezone the subject property from the RU1 - Large Lot Housing zone to the RU1s - Large Lot Housing with Secondary Suite zone.
 - 5.02 [Bylaw No. 10376 \(Z10-0052\)](#) - Shane & Jennifer Warawa - 745 Mitchell Road
To rezone a portion of the subject property from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone.

- 5.03 [Bylaw No. 10381 \(Z10-0048\)](#) - Surinder & Davinder Bhullar - 1356 Montenegro Drive
To rezone the subject property from the RU1h - Large Lot Housing (Hillside Area) zone to the RU1hs - Large Lot Housing (Hillside Area) with Secondary Suite zone.

6. NON-DEVELOPMENT APPLICATION REPORTS

- 6.01 Parks & Public Places Manager, dated August 18, 2010, re: [Solar Demonstration Project, Fire Hall No.1, Enterprise Way](#)
To approve the solar demonstration project at Fire Hall No. 1, Enterprise Way as part of the City's Solar BC commitment in 2010.
- 6.02 Director, Infrastructure Planning, dated July 20, 2010, re: [Electric Cars - Neighbourhood Zero Emission Vehicles \(NZEV\)](#)
To direct staff to report back with strategies to reduce car dependency in Kelowna and to improve Kelowna's rating for injuries and fatalities per vehicle kilometre; To direct staff to bring forward a Bylaw for reading consideration for the operation of neighbourhood zero emission vehicles.
- 6.03 City Clerk, dated August 18, 2010, re: [Amendment to Bylaw No. 10071 - Enforcement on Highways 97 and 33](#)
To consider amending Bylaw No. 10071, being Amendment No. 12 to Traffic Bylaw No. 8120 at third reading.
- 6.04 City Clerk, dated July 2, 2010, re: [Council Procedures Bylaw No. 9200](#)
To consider amending Council Procedures Bylaw No. 9200.

7. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

BYLAW PRESENTED FOR AMENDMENT AT THIRD READING

- 7.01 [Bylaw No. 10071](#) - Amendment No. 12 to Traffic Bylaw No. 8120
To amend Bylaw No. 10071 at third reading by deleting Sections 5.2 and 9 of Schedule "M" and replacing inserting a new Section 9.

(BYLAWS PRESENTED FOR FIRST THREE READINGS)

- 7.02 [Bylaw No. 10326](#) - Amendment No. 4 to Council Procedures Bylaw No. 9200
To amend various sections of Council Procedure Bylaw No. 9200.

(BYLAWS PRESENTED FOR ADOPTION)

- 7.03 [Bylaw No. 10374](#) - Amendment No. 4 to Solid Waste Management Regulation Bylaw No. 10106
To amend Solid Waste Management Regulation Bylaw No. 10106 by adding a new sub-section 5 to Schedule "E".

8. MAYOR & COUNCILLOR ITEMS

- 8.01 Mayor Shepherd, re: ["Spirit of Kelowna" Acknowledgment](#)

9. TERMINATION